

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONALD MEZA,
Petitioner,
v.
CHRISTIAN PFEIFFER, Warden,
Respondent.

No. 2:20-cv-02316-DAD-CSK (HC)

ORDER MODIFYING COURT'S PRIOR
ORDER, DENYING PETITIONER'S
SECOND MOTION FOR AN EXTENSION OF
TIME TO FILE OBJECTIONS AS MOOT,
AND GRANTING PETITIONER THIRTY
DAYS TO FILE OBJECTIONS

(Doc. Nos. 54, 55)

Petitioner is a state prisoner proceeding *pro se*. On September 5, 2024, the undersigned adopted the August 13, 2024 findings and recommendations denying petitioner's motion to vacate the judgment, noting that no objections to those findings and recommendations had been filed. (Doc. No. 52 at 1.) On September 9, 2024, petitioner filed a motion for an extension of time to file objections, accompanied by his proof of service attesting to service of his motion on August 27, 2024. (Doc. No. 53 at 7.) On October 17, 2024, petitioner filed another document titled "Motion to Vacate the Judgment Pursuant to Federal Rules of Civil Procedure Rule 60(b)," which the court construed to be his objections to the magistrate judge's recommendation that petitioner's motion to vacate the judgment be denied. (Doc. Nos. 54; 55 at 2.) Subsequently, the undersigned vacated the September 5, 2024 order, granted petitioner's motion for an extension of time to file objections to the August 13, 2024 findings and recommendations, construed petitioner's October 17, 2024 filing as his objections, and ordered respondent to file any reply to petitioner's

1 objections within fourteen days. (Doc. No. 55 at 2.) Neither respondent nor petitioner have filed
2 anything since that order was issued.

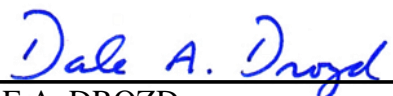
3 Upon further review, the court now understands that petitioner's October 17, 2024 filing
4 only contains more argument in support of his request for an extension of time to file objections,
5 and it does not include petitioner's objections to the August 13, 2024 findings and
6 recommendations. (Doc. No. 54.) Accordingly, the court hereby modifies its prior order and will
7 grant petitioner an additional thirty days to file objections to the magistrate judge's August 13,
8 2024 findings and recommendations.¹ Respondent may file a reply to petitioner's objections, if
9 any, within fourteen days thereafter.

10 Accordingly:

- 11 1. Petitioner's October 17, 2024 filing (Doc. No. 54) is hereby construed as
12 petitioner's second motion for an extension of time to file objections, and the
13 Clerk of the Court is directed to edit the docket entry pursuant to this order;
- 14 2. Petitioner's second motion for an extension of time to file objections (Doc. No. 54)
15 is denied as moot in light of the court's order (Doc. No. 55) granting petitioner's
16 first motion for an extension of time to file objections (Doc. No. 53);
- 17 3. Petitioner shall have thirty (30) days from the date of entry of this order to file any
18 objections to the magistrate judge's findings and recommendations (Doc. No. 51);
19 and
- 20 4. Respondent shall have fourteen (14) days thereafter to file any reply to petitioner's
21 objections.

22 IT IS SO ORDERED.

23 Dated: **November 15, 2024**

24 
25 DALE A. DROZD
26 UNITED STATES DISTRICT JUDGE

27 _____
28 ¹ No further extension of the time to file objections to the pending findings and recommendations
will be granted absent a compelling showing of good cause.